

REQUEST

FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	10/029,818
Filing Date	12/31/01 #14
First Named Inventor	Joyce Brett RCE
Art Unit	3677 3677
Examiner Name	Chop, Andrea Marie
Attorney Docket Number	P- 3952-1 3952-1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

a. Previously submitted

- i. Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on June 23, 2003
(Any unentered amendment(s) referred to above will be entered).
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. Other _____

b. Enclosed

- i. Amendment/Reply
- ii. Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS)
- iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

- b. Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____

- i. RCE fee required under 37 CFR 1.17(e)
- ii. Extension of time fee (37 CFR 1.136 and 1.17)
- iii. Other _____

- b. Check in the amount of \$ 355 enclosed

- c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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JUL 23 2003

GROUP 360

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	MYRON AMER	Registration No. (Attorney/Agent)	18,650
Signature	<u>Myron Amer</u>	Date	July 7, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	JoAnn Nickich
Signature	<u>JoAnn Nickich</u>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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P-3952-1

#15
Andew J. Chop
7/30/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

JOYCE BRETT

FOR:

A BAND-AID APPLIED JEWELRY DISPLAY

SERIAL NO.:

10/029,818

FILED:

December 31, 2001

EXAMINER:

ANDREA CHOP, ART GROUP 3677

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

This is in reply to the Office Action of May 7, 2003 citing a new ground of rejection based on Vesey in view of Arginsky.

Please enter of record claim 1 amended in accordance with the instructions of the REVISED FORMAT either as distinguishing over Vesey or placing claim 1 in better condition for consideration on appeal.

Vesey is concerned with the treatment of wounds on children and, to this end, has to do with the application to lessen the apprehension children have to applied bandages, of decorating the bandage.

In contrast, applicant enhances the appearance of the user and has nothing to do with the treatment of wounds. It would be mere coincidence that applicant's decorated bandage would be applied over a wound. Stated somewhat differently, the site of use in Vesey is restricted to the site of a wound, most likely and in most instances, a scraped knee, and in applicant's use, it would be on a visible cheek or facial area, i.e., where a cosmetic is applied.

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JUL 23 2003

GROUP 3600

Serial No. 10/029,818
Examiner: Andrea Chop
Attorney Docket No: 3952-1

For the foregoing reasons, favorable reconsideration of this application is respectfully requested.

Respectfully,

MYRON AMER, P.C.
Attorney for Applicant

By: 
Myron Amer
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Dated: June 19, 2003